

July 31, 2008

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-325  
445 12<sup>th</sup> Street, S.W.  
Washington D.C. 20554

**EX PARTE**

**RE: *In the Matter of Petition to Establish Procedural Requirements to Govern Proceedings for Forbearance Under Section 10 of the Communications Act of 1934, as Amended; WC Dkt. No. 07-267***

Dear Ms. Dortch:

Cbeyond, Inc., One Communications Corp., and tw telecom inc., through their undersigned attorneys, hereby file in the above-captioned docket the attached Motions to Dismiss or, in the Alternative, Deny Petitions for Forbearance<sup>1</sup> and Replies to Oppositions to Motions to Dismiss or, in the Alternative, Deny Petitions for Forbearance,<sup>2</sup> filed in the Verizon Rhode Island and Verizon Virginia Beach forbearance proceedings.

The attached pleadings illustrate that the Commission's current forbearance process is fundamentally broken and underscore the need for the Commission to act swiftly in establishing procedural rules that prevent repetitive and meritless forbearance proceedings.

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<sup>1</sup> *In the Matter of Petition of Verizon New England for Forbearance Pursuant to 47 U.S. C. § 160(c) in Rhode Island*, Joint Movants' Motion to Dismiss or, in the Alternative, Deny Petition for Forbearance, WC Dkt. No. 08-24 (filed Mar. 18, 2008); *In the Matter of Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in Cox's Service Territory in the Virginia Beach Metropolitan Statistical Area*, Joint Movants' Motion to Dismiss or, in the Alternative, Deny Petition for Forbearance, WC Dkt. No. 08-49 (filed Apr. 29, 2008).

<sup>2</sup> *In the Matter of Petition of Verizon New England for Forbearance Pursuant to 47 U.S. C. § 160(c) in Rhode Island*, Joint Commenters' Reply to Opposition to Motion to Dismiss or, in the Alternative, Deny Petition for Forbearance, WC Dkt. No. 08-24 (filed Apr. 14, 2008); *In the Matter of Petition of the Verizon Telephone Companies for Forbearance Pursuant to 47 U.S.C. § 160(c) in Cox's Service Territory in the Virginia Beach Metropolitan Statistical Area*, Joint Commenters' Reply to Opposition to Motion to Dismiss or, in the Alternative, Deny Petition for Forbearance, WC Dkt. No. 08-49 (filed May 27, 2008).

